



DISTRICT COURT OF MARYLAND FOR Calvert County

Located at 200 Duke Street, Prince Frederick, Maryland 20678



Case No. D-041-CR-23-000958

STATE OF MARYLAND

VS.

KIRBY, HUNTER LEE

325 STAFFORD ROAD
BARSTOW, MD 20610-0000

COMMENTS:

Felony: Preliminary Hearing required

CC#: SID: FBI#:
LID: DL#: K610319497482

Race: W Sex: M Ht: 5' 07" Wt: 205 Hair: BLN Eyes:
DOB: 06/24/1997 Home phone: 410-535-3500 Cellphone:

Charge | Statute | Arrest

SEX ABUSE MINOR | CR 3 602 (b)(1) |

Charge | Statute | Arrest

CHILD PORN SOLICIT SUBJECT | CR 11 207 (a)(1) |
SEX OFFENSE THIRD DEGREE | CR 3 307 |

CRIMINAL SUMMONS ON CHARGING DOCUMENT

STATE OF MARYLAND, Calvert County, to wit:

To the defendant:

YOU ARE SUMMONED AND COMMANDED to appear for Preliminary Inquiry in this Court on 10/16/2023 at 10:30AM, Room: 02 , and also to appear for a Trial/Hearing on a date to be set by the Clerk to answer the charge(s) lodged against you in the charging document attached hereto.

NOTICE TO DEFENDANT: If you fail to appear at the place, time and date set forth above, a warrant for your arrest may be issued. If you change your name, address, or telephone number, you must notify the court at the above location prior to the hearing/trial date. To request a foreign language interpreter or a reasonable accommodation under the Americans with Disabilities Act, please contact the court immediately. **TTY users call Maryland RELAY: 711.** Possession and use of cell phones and other electronic devices may be limited or prohibited in designated areas of the court facility.

Date: 09/01/2023

Judge/Commissioner/Clerk: ADM ID: 4119

Given to: MSP-BARRACK U (PRINCE FREDERICK)

NOTICE TO OFFICER: If not served by 10/10/2023, return to the Court.

ACKNOWLEDGEMENT

I acknowledge receipt of a copy of this Summons and Charging Document and hereby promise to appear in the District Court as directed by the Summons. I understand that acceptance of this Summons is not an admission of guilt but that my failure to appear at the place, time and date herein set forth will result in the issuance of a warrant for my arrest.

Date: _____

Signature of Defendant: _____

RETURN OF SERVICE

I certify that I delivered a copy of this Summons and Charging Document to the defendant personally at

_____ o'clock _____ M. on _____ Date _____ at _____ Place _____

I certify that the defendant could not be found.

I certify that I personally attempted to deliver a copy of this Summons and Charging Document to the defendant, but they refused to accept and/or sign a receipt for the document(s).

Signature of Issuing Officer

Officer's Title

Printed Name of Officer

Date

Agency, Sub Agency, I.D.



DISTRICT COURT OF MARYLAND FOR Calvert County

Located at 200 Duke Street, Prince Frederick, Maryland 20678



Case No. D-041-CR-23-000958

STATE OF MARYLAND

VS. KIRBY, HUNTER LEE

COMPLAINANT:

Officer: RUGGLE, EVAN TFC
Agency/Subagency: MSP 9083
Officer ID: 6923

325 STAFFORD ROAD
BARSTOW, MD 20610

CC#: SID: FBI#:
LID: DL#: K-610-319-497-482
Race: W Sex: M Ht: 5' 7" Wt: 205 Hair: BLN Eyes:
DOB: 06/24/1997 Home phone: 410-535-3500 Cellphone:

STATEMENT OF CHARGES

UPON THE FACTS CONTAINED IN THE APPLICATION OF Officer: RUGGLE, EVAN TFC IT IS FORMALLY CHARGED THAT KIRBY, HUNTER LEE at the dates, times and locations specified below:

NUM	CHG/CIT	STATUTE	PENALTY	DESCRIPTION OF THE CHARGE
001	2 3799	CR 11 207 ((a)(1))	10 Y &/or \$25,000.00	CHILD PORN SOLICIT SUBJECT On or About 12/01/2016 622 SILVER ROCK RD, LUSBY, MD 20657 CALVERT COUNTY, MARYLAND ...did solicit Victim A , a minor to engage as a subject in the production of obscene matter, to wit: a nude photograph. Against the Peace, Government, and Dignity of the State.
002	1 0322	CR 3 602 ((b)(1))	25 Y	SEX ABUSE MINOR On or About 12/01/2016 622 SILVER ROCK RD, LUSBY, MD 20657 CALVERT COUNTY, MARYLAND ... did cause sexual abuse to Victim B, a minor, the defendant having temporary care of said child. Against the Peace, Government, and Dignity of the State.
003	3 3600	CR 3 307	10 Y	SEX OFFENSE THIRD DEGREE On or About 12/01/2016 622 SILVER ROCK RD, LUSBY, MD 20657 CALVERT COUNTY, MARYLAND did unlawfully commit a sexual offense in the third degree upon Victim B in violation of CR 3-307 of the Annotated Code of Maryland. Against the Peace, Government, and Dignity of the State.

DISTRICT COURT OF MARYLAND FOR St. Mary's County

(City/County)



LOCATED AT (COURT ADDRESS)
200 Duke Street, Prince Frederick MD 20678

D-041-CR-23-000958



COMPLAINANT

TFC. Evan Ruggles

Printed Name

210 Main Street

Address

Prince Frederick, MD 20678

240-434-3165

City, State, Zip

Telephone

MSP-40 CED-6923

Agency, sub-agency, and I.D. #

(Officer Only)

DEFENDANT'S DESCRIPTION: Driver's License # K-610-319-497-482

Sex M Race W Ht. 507 Wt. 205

Hair BL Eyes Complexion Other

DOB 06/24/1997

ID

Hunter Lee Kirby

Printed Name

325 Stafford Road

Address

Barstow MD 20610

410-535-3500

City, State, Zip

Telephone

CC#

APPLICATION FOR STATEMENT OF CHARGES

Page 1 of _____

I, the undersigned, apply for statement of charges and a summons or warrant which may lead to the arrest of the above named Defendant because on or about December 1, 2016 at 622 Silver Rock Rd, Lusby, Calvert County, MD 20657, the above named Defendant

See Narrative

(Concise statement of facts showing that there is probable cause to believe that a crime has been committed and that the Defendant has committed it):

(Continued on attached _____ pages) (DC-CR-001A)

I solemnly affirm under the penalties of perjury that the contents of this Application are true to the best of my knowledge, information, and belief.

9/1/23

Date

Officer's Signature

TFC. E. Ruggles

Printed Name

I have read or had read to me and I understand the Notice on the back of this form.

9/1/23

Date

Applicant's Signature

TFC. E. Ruggles

Printed Name

Subscribed and sworn to before me this 1 day of September Month 2023 Year 2023
Time: 1:45 AM PM Judge/Commissioner AM I.D. No. 4119

I understand that a charging document will be issued and that I must appear for trial on _____ Date _____
at _____, when notified by the Clerk, at the court location shown at the top of this form.

Applicant's Signature

Applicant requests reasonable protection for safety of the alleged victim or the victim's family _____

(Describe)

I have advised applicant of shielding right. Applicant declines shielding.

I declined to issue a charging document because of lack of probable cause.

Date

Commissioner

I.D. No.

Printed Name

TRACKING NUMBER

**DISTRICT COURT OF MARYLAND FOR**

Calvert County

(City/County)

LOCATED AT (COURT ADDRESS)

200 Duke Street, Prince Frederick MD

DISTRICT COURT
CASE NUMBER

DEFENDANT'S NAME (LAST, FIRST, M.I.)

Kirby, Hunter, L

APPLICATION FOR STATEMENT OF CHARGES (CONTINUED) Page _____ of _____

For the Purposes of this Application for Statement of Charges, it should be noted, both Victim A and Victim B are known to your applicant and known to have been minors at the time of the incident.

On August 17, 2023, the Maryland State Police Internet Crimes Against Children (ICAC), Homeland Security Investigations and Maryland State Police Criminal Enforcement Division Central South, executed a Search Warrant signed by Honorable Judge Chandlee with the Calvert County District Court at 1825 Kingswood Drive, Prince Frederick, Maryland 20678 and the body of suspect, Hunter Lee Kirby (W/M, DOB: 6/24/1997).

During the course of the investigation, the suspect was found in possession of child pornography. Kirby voluntarily returned to the Maryland State Police Prince Frederick Barrack for a further interview and was also asked to participate in a polygraph administered by Cpl. F. Dollinger. Cpl. Dollinger read Kirby his Miranda Rights which he voluntarily waived. During the course of the subsequent interviews, Kirby disclosed he had inappropriate contact with a minor. These admissions are documented in a separate report compiled by Cpl. Dolinger and are as follows:

" Kirby admitted to me that during that incident which occurred at his brother' s Lusby, MD residence approximately six years ago, he placed his hand on [Victim B's] bare vagina for approximately 30-60 seconds while he was alone with her in her bedroom. He vehemently denied penetrating the child' s vagina with his fingers."

By doing this, Hunter Kirby did cause sexual abuse to Victim B, a minor, the defendant having temporary care of said child. In violation of CR 3-602(b)(1)

And

By doing this, Hunter Kirby did unlawfully commit a sexual offense in the third degree upon Victim B in violation of CR 3-307 of the Annotated Code of Maryland.

Continuing directly from Cpl. Dolinger' s report;

" Also, during this same time period, he had [Victim A], strip off her clothing down to her underwear. He attempted to take a picture of her which she refused. He denied having any sexual contact with [Victim A] at any time but did tell me that he coached [Victim A] into engaging in this activity while he too removed items of clothing. He admitted that he stripped off his clothing down to his underwear."

9/1/23

Date

Applicant's Signature

Printed Name

TRACKING NUMBER

**DISTRICT COURT OF MARYLAND FOR**

(City/County)

LOCATED AT (COURT ADDRESS)

DISTRICT COURT
CASE NUMBER

DEFENDANT'S NAME (LAST, FIRST, M.I.)

APPLICATION FOR STATEMENT OF CHARGES (CONTINUED) Page _____ of _____

Due to these admissions, the Maryland State Police Criminal Enforcement Division Central South was contacted. TFC Ruggles was assigned the investigation. On Friday August 18, 2023, I contacted ASA B. Cordero of the Calvert County State's Attorney's Office and briefed her of the investigation. Additionally, I contacted Department of Social Services and advised them of the allegations.

Due to the nature of the admissions by Hunter, I wanted to facilitate a Forensic Interview as soon as possible with Victim A and Victim B

On August 21, 2023, TFC Ruggles and Cpl C. Ditoto responded to the Calvert County Child Advocacy Center to observe two forensic interviews conducted by Jessica M. Jacobs of Maryland DHS CPS with Victim A and Victim B.

The first interview conducted was with Victim A. Victim A is a 14 year old Freshman at Calvert High School in Prince Frederick Maryland. During the interview, Victim A was asked if there was any point in her life where anyone has done something that, "might not be okay". Victim A replied that something had happened. Victim A was asked to explain. Victim A replied by saying, "So basically, it involves the person that we are here for." Victim A goes on to explain that at a previous house her family was living at, when she was six or seven years old, she was in the basement of the residence. Victim A goes into the bathroom with whom she later identifies as Hunter Kirby. Hunter wanted Victim A to take off her romper, lay down and spread her legs so that he could take pictures. Victim A stated she took her romper off and Hunter took a photograph of her. In the interview, Victim A would later clarify for this incident she was only wearing her bottom underwear at the time of the photograph and was unclothed from the waist up. Victim A continues to recall Hunter asking to her to take her underwear off and stating he would take his off too. Hunter then informs Victim A that they would both, " like it" .

Following recalling this incident, Victim A states, " That is one of the situations I fully remember. I remember that very distinctly." Victim A then distinctly recalls the layout of the residence which investigators later identified as 622 Silver Rock Road, Lusby, MD 20657. Victim A states this incident occurred during the Thanksgiving/Christmas time and other family members were present. Victim A continues to describe the incident in detail and reiterates that Hunter took her romper off, wanted her to lay down and spread her legs so that he could take a picture of her. Victim A stated Hunter Kirby took a picture of her in her underwear. Victim A is asked to clarify if he assisted her in taking the romper off to which she clarifies that Hunter physically took the romper off of her exposing her bare chest.

By doing this, Hunter Kirby did solicit Victim A, a minor, to engage as a subject in the production of obscene matter, to wit: Child Pornography. A violation of Maryland CR 11-207(a)(1).

9/1/23

Date

TFC. E. Ruggles #6423

Applicant's Signature

TFC E. Ruggles #6423

Printed Name

TRACKING NUMBER

**DISTRICT COURT OF MARYLAND FOR**

LOCATED AT (COURT ADDRESS)

(City/County)

DISTRICT COURT
CASE NUMBER

DEFENDANT'S NAME (LAST, FIRST, M.I.)

APPLICATION FOR STATEMENT OF CHARGES (CONTINUED) Page _____ of _____

Victim A continues to describe the bathroom in which she was standing at the time. Victim A describes this incident in great detail. Victim A also recalls Hunter utilizing a silver flip phone. It should be noted that although not located during the search warrant of the residence, I contacted Hunters father to ask about the silver flip phone. Hunter' s father stated Hunter did have a silver flip phone but does not currently have the phone any longer. During this incident, Victim A recalls being, " frozen" .

By doing this, Hunter Kirby did cause sexual abuse to Victim A, a minor, the defendant having temporary care of said child. In violation of CR 3-602(b)(1)

As the interview continues, Victim A recalls a second situation which had actually occurred prior to the incident in the basement. Victim A recalls being in her bedroom, Hunter entered the bedroom and began talking, " very nasty" to Victim A. Victim A then recalls Hunter telling her to take her pants off.

Following the interview with Victim A, Victim B was interviewed.

During the interview with Victim B, Victim B appeared extremely guarded. Victim B was asked many of the same questions Victim A was asked, however, it should be noted at the time of these incidents, Victim B would have been approximately 3 years old. Victim B does however recall the incident in the bathroom. Victim B stated she remembered being in the bathroom and Hunter Kirby telling her to take her clothes off. Victim A told her not to and Victim B did not.

Based on the above stated facts, Hunter Kirby's danger to the community and perpensity to continue these acts I respectfully request a warrant be issued charging Hunter Kirby with the following charges:

CR 3-602(b)(1)- SEX ABUSE MINOR (Victim A)
CR 3-602(b)(1)- SEX ABUSE MINOR (Victim B)
CR 11-207(a)(1)- CHILD PORN SOLICIT SUBJECT (Victim A)
CR 3-307- SEX OFFENSE THIRD DEGREE (Victim B)

All events occurred in Calvert County, MD.

9/1/23

Date

TFC E. Ruggles #6423

Applicant's Signature

TFC. E. Ruggles #6423

Printed Name

TRACKING NUMBER